

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-cv-329-GKF(PJC)
)	
TYSON FOODS, INC., et al.,)	
)	
Defendants.)	

DECLARATION OF KAMASHWARAN R. SAMBASIVAM, Ph.D.

I, Kamashwaran R. Sambasivam, hereby declare as follows:

A. BACKGROUND

1. Since August 2001, I have been an employee of EMLab, an environmental testing laboratory. I currently hold the position of Regional Laboratory Director with EMLab. My educational background includes a Bachelor of Science degree, with high distinction in Zoology, from Presidency College, University of Madras, India in 1995, Master of Science degree in Environmental Studies from the Bemidji State University, Bemidji, Minnesota in 1998 and a Doctor of Philosophy degree in Microbiology, Molecular Biology and Biochemistry from the University of Idaho, Moscow, Idaho in 2001.

2. Camp Dresser and McKee Inc. ("CDM") has utilized EMLab to analyze water and solid samples collected from the Illinois River Watershed ("IRW") for various species of bacteria beginning May 2005. I have been EMLab's Laboratory Director since inception of the project.

B. Sample Receipt Procedures at EML

3. For samples received from CDM and USGS, EMLab followed the procedures stated in the Standard Methods for Examination of Water and Wastewater, APHA (American Public Health Association) for processing bacterial water samples. The samples received by EMLab from CDM and USGS were always prioritized for login and prepped/setup for analysis (beginning step of the analytical procedure) on the same day of receipt. EMLab's standard policy was followed for the CDM and USGS samples: if samples were received due to a delay in delivery or without a cold pack, EMLab would always contact the appropriate CDM person (Roger Olsen, Todd Burgesser or Darren Brown) immediately upon receipt of the samples and halt further processing of the samples. During the course of the CDM project, samples were always received in an acceptable state with appropriate cold pack (ice). In addition, EMLab always started and performed the setup for the bacterial analysis (cultures) on the day the samples were received.

I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.

Executed on the 3rd day of June, 2009.

A handwritten signature in black ink, appearing to read 'Kamashwaran R. Sambasivam', written over a horizontal line.

Kamashwaran R. Sambasivam, Ph.D.